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EXAMINER

GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
2645	12

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/737,098

Applicant(s)

PATEL, KANU

Examiner

Gerald Gauthier

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-10,12-16,18-22 and 24-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-10,12-16,18-22 and 24-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 15-16 and 18-20** are rejected under 35 U.S.C. 102(b) as being anticipated by Shaffer et al. (US 5,901,214).

Regarding **claim 15**, Shaffer discloses a one number intelligent call processing system (column 1, lines 11-18), (which reads on claimed “a system for obtaining address information of an entity via a telephone network”) comprising in combination:

(a) an automated call handler (213 on FIG. 2) coupled to the telephone network (212 on FIG. 2) and capable of receiving a request (column 28, line 19 “a telephone call”) for address information (column 22, lines 35-48) from a caller (204 on FIG. 2) via the telephone network (212 on FIG. 2), querying (column 15, line 43 “prompting”) the caller for details about the request (column 23, lines 39-46), accessing the requested information (column 28, lines 25-26 “the information”), and providing the requested information to the caller in accordance with the request (column 28, lines 19-32) [The call processing center receives a call from a user and gets specific information from the user to retrieve the request service for the user];

(b) an audio controller (214 on FIG. 2) capable of providing outgoing audio messages (column 30, line 53 "voice messages") from the call handler to the caller via the telephone network (column 30, line 41 to column 31, line 5) [The VRU provides outgoing messages to the caller to receive and confirm information interacting with the caller and the network]; and

(c) a gateway terminal (230 on FIG. 2) coupled to the automated call handler and having a searchable database (231 on FIG. 2) having stored therein address information, wherein the gateway terminal further has a security checker (column 37, line 59 "Spatial Key") for ensuring access to the searchable database by authorized callers (column 28, lines 14-18) [The gateway has access to the remote database that contains individual information of the caller] and (column 37, line 51 to column 38, line 3) [If the application requires Spatial Key retrieved data a decision state calls a retrieve and verify process].

Regarding **claim 16**, Shaffer discloses (d) a plurality of modems (column 28, lines 47-53) for converting a dual-tone multi-frequency signal into at least one digit (column 28, lines 35-54).

Regarding **claim 18**, Shaffer discloses the gateway terminal further has a data analyzer (column 3, line 25 "VRU") for converting the digits into at least one American Standard Code for Information Interchange character (column 3, lines 16-31).

Regarding **claim 19**, Shaffer discloses the gateway terminal further has a data search handler (column 18, line 29 "a data provider") for searching the database based on the request provided by the caller (column 18, lines 21-48).

Regarding **claim 20**, Shaffer discloses the audio controller converts the address information into an audio response (column 30, line 53 "speaking recorded voice messages to the caller") and the call handler provides the audio response to the caller (column 30, line 41 to column 31 line 5).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-2 and 4-8** are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer in view of Mankovitz (US 6,253,069).

Regarding **claim 1**, Shaffer discloses one number intelligent call processing system (column 1, lines 11-18), (which reads on claimed “a system for obtaining information of a person via a telephone network”) comprising in combination:

- (a) an automated call handler (213 on FIG. 2) coupled to the telephone network (212 on FIG. 2) and capable of receiving a request (column 28, line 19 “a telephone call”) for information from a caller (column 28, line 21 “information”) via the telephone network, querying (column 15, line 43 “prompting”) the caller for details about the request, accessing the requested information (column 28, lines 25-26 “the information”), and providing the requested information to the caller in accordance with the request (column 28, lines 19-32) [The call processing center receives a call from a user and gets specific information from the user to retrieve the request service for the user];
- (b) an audio controller (214 on FIG. 2) capable of providing outgoing audio messages (column 30, line 53 “voice messages”) from the call handler to the caller via the telephone network (column 30, line 41 to column 31, line 5) [The VRU provides outgoing messages to the caller to receive and confirm information interacting from the caller via the network]; and
- (c) a gateway terminal (230 on FIG. 2) coupled to the automated call handler and having a searchable database (231 on FIG. 2) having stored therein information, wherein the gateway terminal further has a security checker (column 37, line 59 “Spatial Key”) for ensuring access to the searchable database by authorized callers (column 28, lines 14-18) [The gateway has access to the

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remote database that contains individual information of the caller] and (column 37, line 51 to column 38, line 3) [If the application requires Spatial Key retrieved data a decision state calls a retrieve and verify process].

Shaffer discloses census geography databases such as Claritas and Equifax but fails to disclose retrieving credit history information.

However, Mankovitz teaches an apparatus for providing credit history information for a customer (column 7, lines 25-42) [Advertisers are provided with access to customer credit history and other financial information].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to add credit history information of Mankovitz in the Equifax database of Shaffer.

The modification of the invention would offer the capability of having credit history information such as the user would be able to access information for buying products or services in a given area.

Regarding **claim 2**, Shaffer discloses (d) a plurality of modems (column 28, lines 47-53) for converting a dual-tone multi-frequency signal into digit (column 28, lines 35-54).

Regarding **claim 4**, Shaffer discloses the gateway terminal further has a data analyzer (column 3, line 25 "VRU") for converting the digits into at least one American Standard Code for Information Interchange (ASCII) character (column 3, lines 16-31).

Regarding **claim 5**, Shaffer discloses the gateway terminal further has a data search handler (column 18, line 29 "a data provider") for searching the database based on the request provided by the caller (column 18, lines 21-48).

Regarding **claim 6**, Shaffer discloses the call handler is capable of faxing (column 33, line 53 "the FAX server") the credit history information to the caller (column 33, line 48 to column 34, line 3).

Regarding **claim 7**, Shaffer discloses the call handler mails the credit history information to the caller (column 37, lines 17-32).

Regarding **claim 8**, Shaffer discloses the call handler e-mails the credit history information to the caller (column 33, lines 15-24).

5. **Claims 9-10 and 12-14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer in view of Lowery (US 6,446,111).

Regarding **claim 9**, Shaffer discloses a one number intelligent call processing system (column 1, lines 11-18), (which reads on claimed “a system for obtaining information via a telephone network”) comprising in combination:

- (a) an automated call handler (213 on FIG. 2) coupled to the telephone network (212 on FIG. 2) and capable of receiving a request (column 28, line 19 “a telephone call”) for information from a caller (column 28, line 21 “information”) via the telephone network (column 28, lines 19-24), querying (column 15, line 43 “prompting”) the caller for details about the request (column 23, lines 39-46), accessing the requested information (column 28, lines 25-26 “the information”), and providing the requested information to the caller in accordance with the request (column 28, lines 19-32) [The call processing center receives a call from a user and gets specific information from the user to retrieve the request service for the user];
- (b) an audio controller (214 on FIG. 2) capable of providing outgoing audio messages (column 30, line 53 “voice messages”) from the call handler to the caller via the telephone network (column 30, line 41 to column 31, line 5) [The VRU provides outgoing messages to the caller to receive and confirm information interacting with the caller and the network]; and
- (c) a gateway terminal (230 on FIG. 2) coupled to the automated call handler and having a searchable database (231 on FIG. 2) having stored therein information, wherein the gateway terminal further has a security checker (column 37, line 59 “Spatial Key”) for ensuring access to the searchable database by

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authorized callers (column 28, lines 14-18) [The gateway has access to the remote database that contains individual information of the caller] and (column 37, line 51 to column 38, line 3) [If the application requires Spatial Key retrieved data a decision state calls a retrieve and verify process].

Shaffer discloses information databases but fails to disclose books availability information.

However, Lowery teaches books availability information (column 14, lines 1-21) [The server performs the updating and tracking of the availability of the book into a large storage capacity].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to add the large storage of book availability information of Lowery in the information databases of Shaffer.

The modification of the invention would offer the capability of having a book availability information data such as the user would search for the book authors for responding to the client request so as to reduce bandwidth usage.

Regarding **claim 10**, Shaffer discloses (d) a plurality of modems (column 28, lines 47-53) for converting a dual-tone multi-frequency signal into at least one digit (column 28, lines 35-54).

Regarding **claim 12**, Shaffer discloses the gateway terminal further has a data analyzer (column 3, line 25 "VRU") for converting the digits into at least one American Standard Code for Information Interchange (ASCII) character (column 3, lines 16-31).

Regarding **claim 13**, Shaffer discloses the gateway terminal further has a data search handler (column 18, line 29 "a data provider") for searching the database based on the request provided by the caller (column 18, lines 21-48).

Regarding **claim 14**, Shaffer discloses the audio controller converts the book availability information into an audio response (column 30, line 53 "speaking recorded voice messages to the caller") and the call handler provides the audio response to the caller (column 30, line 41 to column 31 line 5).

6. **Claim 21** is rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer in view of Mankovitz and in further view of Lowery.

Regarding **claim 21**, Shaffer discloses a one number intelligent call processing system (column 1, lines 11-18), (which reads on claimed "an automated system for providing information to a caller from a database through a telephone network"), the system comprising in combination:

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- (a) means (214 on FIG. 2) for providing interactive communication with the caller (205 on FIG. 2) via the telephone network (212 on FIG. 2), wherein the means interactively queries (column 15, line 43 "prompting") the caller to submit a request (column 28, line 19 "a telephone call") on a step-by-step basis (column 28, lines 19-32) [The call processing center receives a call from a user and gets specific information from the user to retrieve the request service for the user];
- (b) means (214 on FIG. 2) for receiving a plurality of character responses (column 3, line 24 "typed characters") from the caller, wherein each response represents a single ASCII character (column 3, lines 16-31) [The VRU receives a character as response from the caller];
- (c) means (column 3, line 32 "computers" for analyzing and converting the plurality of character responses (column 3, line 24 "typed characters") from the caller into a database search request (column 3, lines 32-38) [The computer translates the typed text into DTMF tones];
- (d) searchable database means (231 on FIG. 2) for storing information (column 31, lines 9-16) and coupled to the means for providing interactive communication with the user, wherein the formation is selected from the group consisting of address information (column 22, lines 35-48), and wherein the searchable database means comprises means for security checking (column 37, line 59 "Spatial Key") in order to ensure access to the searchable database means by authorized callers (column 28, lines 14-18) [The gateway has access to the remote database that contains individual information of the caller] and

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(column 37, line 51 to column 38, line 3) [If the application requires Spatial Key retrieved data a decision state calls a retrieve and verify process]; and

(e) a database search means (218 on FIG. 3) for searching the searchable database means using the database search request (column 31, lines 9-31) [The SQL database server search the databases and store the information to be send to the VRU for the user].

Shaffer discloses census geography databases such as Claritas and Equifax but fails to disclose retrieving credit history information.

However, Mankovitz teaches an apparatus for providing credit history information for a customer (column 7, lines 25-42) [Advertisers are provided with access to customer credit history and other financial information].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to add credit history information of Mankovitz in the Equifax database of Shaffer.

The modification of the invention would offer the capability of having credit history information such as the user would be able to access information for buying products or services in a given area.

Shaffer and Mankovitz disclose information databases but fail to disclose books availability information.

However, Lowery teaches books availability information (column 14, lines 1-21) [The server performs the updating and tracking of the availability of the book into a large storage capacity].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to add the large storage of book availability information of Lowery in the information databases of Shaffer and Mankovitz.

The modification of the invention would offer the capability of having a book availability information data such as the user would search for the book authors for responding to the client request so as to reduce bandwidth usage.

7. **Claim 22** is rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer in view of Mankovitz and in further view of Lowery and in further view of Winter et al. (US 4,768,144).

Regarding **claim 22**, Shaffer discloses a one number intelligent call processing system (column 1, lines 11-18), (which reads on claimed "a method of obtaining information from a database through a telephone system, wherein in the information is selected from the group of information"), the method comprising the steps of:

- (a) interactively querying (column 15, line 43 "prompting") a caller (205 on FIG. 2) to submit a request (column 28, line 19 "a telephone call") for the information on a step-by-step basis (column 28, lines 19-32) [The call processing center receives a call from a user and gets specific information from the user to retrieve the request service for the user];

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(b) receiving a plurality of character responses (column 3, line 24 “typed characters”) from the caller to form a request, wherein each response represents a single ASCII character, (column 3, lines 16-31) [The VRU receives a character as response from the caller];

(c) analyzing and converting the plurality of character responses (column 3, line 24 “typed characters”) from the caller to form a database search request (column 3, lines 32-38) [The computer translates the typed text into DTMF tones];

(d) searching in a database means (231 on FIG. 2) for the requested information (column 31, lines 9-31) [The SQL database server search the databases and store the information to be send to the VRU for the user]; and

(e) providing the requested information to the caller (column 27, lines 59-64)

[The CTI network provides service information to the caller at a calling location].

Shaffer discloses census geography databases such as Claritas and Equifax but fails to disclose retrieving credit history information.

However, Mankovitz teaches an apparatus for providing credit history information for a customer (column 7, lines 25-42) [Advertisers are provided with access to customer credit history and other financial information].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to add credit history information of Mankovitz in the Equifax database of Shaffer.

The modification of the invention would offer the capability of having credit history information such as the user would be able to access information for buying products or services in a given area.

Shaffer and Mankovitz disclose information databases but fail to disclose books availability information.

However, Lowery teaches books availability information (column 14, lines 1-21) [The server performs the updating and tracking of the availability of the book into a large storage capacity].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to add the large storage of book availability information of Lowery in the information databases of Shaffer and Mankovitz.

The modification of the invention would offer the capability of having a book availability information data such as the user would search for the book authors for responding to the client request so as to reduce bandwidth usage.

Shaffer, Mankovitz and Lowery disclose ASCII characters but fail to disclose a plurality of two-character response wherein each two-character response represents a single ASCII character.

However, Winter teaches wherein step (b) comprises receiving a plurality of two-character response (column 13, line 35 "two characters of information") wherein each two-character response represents a single ASCII character (column 13, lines 35-42) [The two characters of information are generated, the first character is an ASCII code and the second is an of text].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the two characters of information of Winter in the information databases of Shaffer, Mankovitz and Lowery.

The modification of the invention would offer the capability of having two characters of information to represent an ASCII code such as the user would be relieve of the need to repeatedly actuate the browse request.

8. **Claim 24** is rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer in view of Mankovitz and in further view of Dlugos (US 4,135,662).

Regarding **claims 24 and 26**, Shaffer and Mankovitz as applied to **claims 1 and 15** above differ from **claims 24 and 26** in that it fails to disclose a conversion module that transforms a first digit and a second digit into a letter.

However, Dlugos teaches:

e) a conversion module that transforms a first digit and a second digit into a letter, wherein the first digit identifies a group of letters and the second digit identifies the letter within the group (column 6, lines 18-23).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to add a conversion module that transforms a first digit and a second digit into a letter of Dlugos in the invention of Shaffer and Mankovitz.

The modification of the invention would offer the capability of having a conversion module that transforms a first digit and a second digit into a letter such as the operator would correct the system errors.

9. **Claim 25** is rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer in view of Lowery and in further view of Dlugos.

Regarding **claim 25**, Shaffer and Lowery as applied to **claim 10** above differ from **claim 25** in that it fails to disclose a conversion module that transforms a first digit and a second digit into a letter.

However, Dlugos teaches:

e) a conversion module that transforms a first digit and a second digit into a letter, wherein the first digit identifies a group of letters and the second digit identifies the letter within the group (column 6, lines 18-23).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to add a conversion module that transforms a first digit and a second digit into a letter of Dlugos in the invention of Shaffer and Lowery.

The modification of the invention would offer the capability of having a conversion module that transforms a first digit and a second digit into a letter such as the operator would correct the system errors.

10. **Claim 26** is rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer in view of Dlugos.

Regarding **claim 26**, Shaffer as applied to **claim 15** above differs from **claim 26** in that it fails to disclose a conversion module that transforms a first digit and a second digit into a letter.

However, Dlugos teaches:

e) a conversion module that transforms a first digit and a second digit into a letter, wherein the first digit identifies a group of letters and the second digit identifies the letter within the group (column 6, lines 18-23).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to add a conversion module that transforms a first digit and a second digit into a letter of Dlugos in the invention of Shaffer.

The modification of the invention would offer the capability of having a conversion module that transforms a first digit and a second digit into a letter such as the operator would correct the system errors.

Response to Arguments

11. Applicant's arguments with respect to **claims 1-2, 4-10, 12-16, 18-22 and 24-26** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hilleary et al. is cited for a method for dispensing information (FIG. 1).


Malackowski et al. is cited for a system of providing service information (FIG. 1).

Ben-Yehezkel et al. is cited for a method for providing location-based information services (FIG. 1).

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


g.g.
March 19, 2004

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

